

**Regular Session Minutes – Selectmen’s Meeting
Selectmen’s Meeting Room, Town Hall
Monday, July 25, 2016, 7:30 p.m.**

PRESENT: Michael A. Rosenberg, Chair; Mark Siegenthaler; William S. Moonan; Margot R. Fleischman; Caroline Fedele and Town Manager Richard T. Reed

ALSO PRESENT: Assistant Town Manager Michael Rosen; Energy Task Force candidates Michael Donnell and Richard Torti; Recreation Commission candidate Virendar Kaushik; Finance Committee member Ben Thomas; Eversource representative Maureen Carroll; Town Engineer Adrienne St. John; Finance Director Victor Garofalo; Public Works Director David Manugian; Short Stop Café owners Ji Su and ShengYing Duan; First Church of Christ representative John Guetersloh; Bedford Television representative Nick Giglio

Chair Rosenberg called the meeting to order at 7:30 p.m.

**17-08 Public Hearing
 NSTAR
 Great Road – Work Order # 2116974**

Mr. Siegenthaler made a motion to open the Public Hearing. Ms. Fedele seconded the motion.

The motion passed 5-0-0.

Eversource representative Maureen Carroll presented the Selectmen with a work order to move two poles located on the southwest side of The Great Road. Moving the poles would accommodate the new curbing and sidewalk related to the intersection improvements for the Mass DOT Safe Routes to School project. A left hand turn lane will be created at the Police Station. In order to do this, the two poles must be moved back 5 feet.

Mr. Siegenthaler made a motion to close the Public Hearing. Ms. Fedele seconded the motion.

The motion passed 5-0-0.

Mr. Siegenthaler made a motion to approve the petition from Eversource for the relocation of Poles 1/77 and 1/78 as outlined in Work Order # 2116974 on Great Road. Ms. Fedele seconded the motion.

The motion passed 5-0-0.

The motion passed 5-0-0.

**17-11 Public Access Sign Approval
 First Church of Christ Congregational**

First Church of Christ representative John Guetersloh came before the Selectmen again to discuss the design and location of the First Church of Christ Congregational sign. The sign would be located near the stone wall and to the right of the pathway that leads from the Town parking lot to the back of the church property. The church's parking capacity is decreasing due to the safety improvements that are being implemented on The Great Road. Therefore, members of the congregation must park in the Town's lot to attend services.

After a lengthy discussion, it was determined that the proposed sign design was acceptable and the sign location should be closer to the stone wall.

Ms. Fleischman moved that the Selectmen approve the First Church of Christ's request to install a sign adjacent to the path leading from the Town campus as shown on Exhibit 1 – 16 square feet and approximately 5 feet from the stone wall. Ms. Fedele seconded the motion.

The motion passed 4-1-0. Mr. Siegenthaler voted against.

The meeting was running ahead of schedule and items were reviewed out of order.

**17-17 Miscellaneous Action Items
 Election Workers Appointments**

**Chapter 268A Section 20(b) Exemptions
Gwendolyn Orav and George Payne**

Mr. Siegenthaler made a motion to approve the waivers from Chapter 268A, Section 20 (b) for Gwendolyn Orav and George Payne. Ms. Fedele seconded the motion.

The motion passed 5-0-0.

Ms. Fedele made a motion to approve the list of Election Workers dated June 24, 2016 with the exception of Charles Huxsaw. Ms. Fleischman seconded the motion.

The motion passed 5-0-0.

**17-12 Request for Fee Proration
 Blackbeard Enterprises, LLC d/b/a Ken's NY Deli**

Town Manager Richard Reed explained to the Selectmen that the ABCC only recently approved the application of Ken's NY Deli to go from a Wine and Malt license to an All Alcohol license. Because licenses run from January to December of a calendar year, Ken's NY Deli is requesting the Town pro-rate the fee.

Mr. Moonan made a motion to authorize the pro-ration of the All Alcohol fee to \$250 for the remainder of the year for Blackbeard Enterprises, LLC d/b/a Ken's NY Deli. Ms. Fedele seconded the motion.

The motion passed 5-0-0.

**17-13 Contract Award
 Refuse and Recycling
 Republic Services, Tyngsboro, MA**

Mr. Reed presented the Selectmen with the final contract between the Town and Allied Waste Services of Massachusetts LLC. Mr. Reed stated the Town Counsel and the Town Accountant had reviewed the contract and both suggested approval. Mr. Reed went on to say that although the Public Works budget has the funding currently for this appropriation, the Town will be asking for additional funds at Special Town Meeting as the contract cost is slightly more than anticipated.

Mr. Moonan moved that the Selectmen sign the contract for refuse and recycling services with Allied Waste Services LLC of Massachusetts for a 3 year term in accordance with the contract dated July 25, 2016. Ms. Fedele seconded the motion.
The motion passed 5-0-0.

**17-14 Committee Appointment Interview
 Recreation Commission**

As the Selectmen liaison to the Recreation Commission, Ms. Fedele outlined that the Commission is charged with the promotion and oversight of the Recreation programs as well as identifying facilities needs as they pertain to building and field usage. Ms. Fedele noted that the candidate, Virendar Kaushik, has attended half a dozen meetings and she thanked him for volunteering to serve on the Committee.

Chair Rosenberg asked Mr. Kaushik to tell the Selectmen about himself and his interest in the Recreation Commission.

Mr. Kaushik has three children that participate in various Recreation Department programs. Because of this and his experience as a coach in the Town, Mr. Kaushik would like to become more involved with the Recreation Commission.

Chair Rosenberg asked Mr. Kaushik if he heard the Open Meeting Law discussion earlier in the evening. Mr. Kaushik stated that he was present.

Ms. Fedele moved that the Selectmen appoint Virendar Kaushik to the Recreation Commission with a term ending June 30, 2017. Ms. Fleischman seconded the motion.

The motion passed 5-0-0.

17-15 Order of Taking Middlesex Turnpike

Town Engineer Adrienne St. John presented the Selectmen with an Order of Taking. Ms. St. John noted that this was required by the Mass DOT to secure temporary and permanent easements for the Middlesex Turnpike Phase 3 project. The permanent easements includes space for drainage outlets and guard rail curbing. The temporary easement refers to grading. Ms. St. John stated that 17 parcels will be affected by the Order of Taking. Of those 17 parcels, 5 are owned by the Town of Bedford and one is Owner Unknown as it is a private right of way on Albion Way. Ms. St. John noted that one property owner offered to grant their easement to the Town.

The cost of the Order of Taking is \$148,900.

Mr. Moonan asked where the funds will come from.

Mr. Reed stated they were appropriated under Article 16 at Annual Town Meeting.

Ms. Fleischman moved that the undersigned Selectmen of the Town of Bedford, Middlesex County, Massachusetts, acting under authority of a vote of Bedford Town Meeting under Article 16 of the Annual Town Meeting which commenced on March 28, 2016 and under authority of chapter 79 of the Massachusetts General Laws, and under all other authority enabling hereto, do hereby take in fee simple for highway purposes the hereinafter listed permanent easements for drainage, utility, trees, and highway appurtenances in parcels of land as depicted on a plan of land recorded herewith entitled "Plan of Road in the Town of Bedford, Mass Middlesex County, Showing the Location of Easements for the Purpose of Reconstructing Middlesex Turnpike for the Town of Bedford" July, 2016 by VHB. Said plan shall be recorded at the Middlesex South Registry of Deeds.

And moreover, the Selectmen of the Town of Bedford for the purposes and under the authority aforesaid do take temporary construction easements for staging and storage of construction-related equipment and supplies, and for conduct of construction-related activity. The temporary construction easements shall commence on a date to be determined and will end following substantial completion of the project, which completion date is currently estimated to be a date to be determined in 2021. Mr. Moonan seconded the motion.

The motion passed 5-0-0.

17-16 Adoption of FY17 Water and Sewer Rates

Finance Director Victor Garofalo presented the Selectmen with the proposed water and sewer rate for Fiscal Year 2017. At the June 27, 2016 meeting, Mr. Garofalo estimated that the increase would be approximately 12.4% due to a variety of factors. Since that meeting, Mr. Garofalo received updated information and reevaluated the rate increase.

The Town will need to increase water/sewer rates by 8.6% from FY2016 which would result in a \$54.00 per year increase in FY2017 for the average user in Bedford.

Initially, the MWRA anticipated raising the sewer rate by 6%. The rates will only increase by 5.3%.

The water purchase rate will only be 2% as opposed to the expected 4% increase.

Finally, there are a number of projects that will not begin until January of 2017 therefore eliminating the need to borrow for those projects at this time.

Previously, the Selectmen asked Mr. Garofalo to account for the percentage of the rate increase by category. Mr. Garofalo reported that Debt accounts for 30.14%, Decrease in User Consumption accounts for 32.83% and finally the MWRA Assessment accounts for 25.57%. These are the three largest categories contributing to the rate increase.

Mr. Garofalo noted that \$2 million would be needed to recover for the rate increase to water and \$4 million for sewer.

There will be a meter replacement program next year to remove older meters that might not be accurately reading water and sewer usage. On August 3rd, Mr. Garofalo will be informing the Capital Expenditures Committee about this project. The hope is that this will be an article at Special Town Meeting in the fall.

A lengthy discussion ensued regarding the rate increase for water and sewer on the first meter.

Mr. Moonan made a motion to increase the R1 to \$1.40/100 cubic feet and increase the R2 to \$7.30/100 cubic feet. The motion was not seconded.

Ms. Fedele moved that the Selectmen vote to approve the FY2017 water and sewer rates as follows:

Residential and Small Business (Cycles 51 – 56) – Semi-Annual Billing

Water

1st Meter	Base	\$35.00/yr. or \$17.50/billing cycle (6 months)
	R1	\$1.50/100 cubic feet up to 2,000 cubic feet
	R2	\$7.20/100 cubic feet over 2,000 cubic feet
2nd Meter (Irrigation Rate)	Base	\$35.00/yr. or \$17.50/billing cycle (6 months)
	R3	\$10.20/100 cubic feet for any amount used

Sewer

1st Meter	Base	\$45.00/yr. or \$22.50/billing cycle (6 months)
	R1	\$3.60/100 cubic feet up to 2,000 cubic feet
	R2	\$12.70/100 cubic feet over 2,000 cubic feet
 <u>Commercial Industrial (Cycle 57) and Veteran Administration (Cycle 58 sewer only) – Monthly Billing</u>		
Water		
1st Meter	Base	\$35.00/yr. or \$2.92/billing cycle (monthly)
	R1	\$1.50/100 cubic feet up to 333.33 cubic feet per billing cycle
	R2	\$7.20/100 cubic feet over 333.33 cubic feet per billing cycle
2nd Meter (Irrigation Rate)	Base	\$35.00/yr. or \$2.92/billing cycle (monthly)
	R3	\$10.20/100 cubic feet for any amount used
 Sewer		
1st Meter	Base	\$45.00/yr. or \$3.75/billing cycle (monthly)
	R1	\$3.60/100 cubic feet up to 333.33 cubic feet per billing cycle
	R2	\$12.70/100 cubic feet over 333.33 cubic feet per billing cycle
 <u>Sprinkler Service</u>		
Sprinkler Service – \$50.00/year fee for each sprinkler service when applicable.		

Mr. Siegenthaler seconded the motion.

The motion passed 5-0-0.

17-18

Minutes

**Regular Session Minutes of June 13, 2016, June 27, 2016
and July 11, 2016**

Mr. Moonan made a motion to approve the Regular Session Minutes of June 13, 2016 as amended. Ms. Fleischman seconded the motion.

The motion passed 5-0-0.

Mr. Moonan made a motion to approve the Regular Session Minutes of June 27, 2016 as amended. Ms. Fedele seconded the motion.

The motion passed 4-0-1. Chair Rosenberg abstained.

Mr. Moonan made a motion to approve the Regular Session Minutes of July 11, 2016 as presented. Ms. Fedele seconded the motion.

The motion passed 4-0-1. Ms. Fleischman abstained as she was absent.

17-19 Town Manager's Report

Mr. Reed stated that the Expanded Local Transit Request for Proposals was advertised a few weeks ago. Proposals are due on August 1st. At that time, an evaluation team will look at the proposals to determine what course to take. The team is comprised of Selectmen Fleischman, Economic Development Coordinator Sandoval, Assistant Town Manager Rosen, Council on Aging Director Cservenschi and Healthy Bedford Coordinator Olson. Mr. Reed expects a contract to be ready to award at the August 8th Selectmen's Meeting.

Mr. Reed is also working with the Planning Board to finalize the RFP for The Great Road Zoning Study.

Mr. Reed anticipates that the Planning Director position will be filled soon as the second round interviews and assessment center was conducted on July 22, 2016.

17-20 Open Discussion and Selectmen Liaison Reports

Ms. Fedele noted that Springs Brook Park has a shortage of life guards this season. As a result, there are fewer life guards available for swim lessons. Also the teenagers who work at Spring Brook Park typically work 30 hours per week. Due to the shortage, the hours are increasing to 40 hours per week with many of the staff working overtime.

Mr. Reed stated that Recreation Director Hamilton contacted other towns to see if they were experiencing the same life guard shortage. The other towns are having the same issue as Bedford.

Ms. Fleischman stated that the Transportation Advisory Committee (TAC) met with Town Engineer St. John to discuss ways of enhancing the visibility of crosswalks in Town. In particular they are considering recommendations for pedestrian-activated warning signals such as the ones installed on North Road and on roads with higher rates of speed and/or limited visibility. Ms. St. John asked the TAC to establish criteria as to where the warning signals would be appropriate. Ms. Fleischman concluded by saying that the TAC hoped to have that information available for the Selectmen by September.

Chair Rosenberg asked the Selectmen for input regarding a recent decision by Town Counsel. At the June 27th meeting, it was determined that the Selectmen would have the authority to remove trees from Town that were not considered shade trees. Chair Rosenberg felt this was a very limited interpretation and wondered if giving this to the Bedford Arbor Resources Committee (BARC) would be a good idea. BARC could then consider what the options should be and find out what other communities do. The Selectmen agreed with Chair Rosenberg.

**Ms. Fleischman made a motion to adjourn. Mr. Moonan seconded the motion.
The motion passed 5-0-0.**

The meeting adjourned at 9:50 p.m.